

These are the minutes of the Regular Session of the City of Adams, WI held on March 2, 2015 in the City Municipal Building.

Meeting was called to order by Mayor Baumgartner. On roll call were Alderpersons Hilson, Jensen, Kierstyn, Marti, Mayor Baumgartner and Chief Anderson. Alderperson LaQuee and Roseberry were excused. Several citizens were in attendance.

Consent Agenda:

1. Approval of Council Meeting Minutes:
  - a. February 16, 2015 Regular Session and February 25, 2015 Special Session
2. Committee/Commission/Authority/Advisory Minutes:
  - a. February 24, 2015 Finance Committee
  - b. February 26, 2015 Planning Commission
  - c. February 26, 2015 Downtown Development Commission
3. Operator's License
  - a. February 2, 2015 – February 16, 2015. *Robert Gabryshak and Theresa Trepish.*
4. Temporary Class "B" License(s)
  - a. Issuance of Temporary Class "B" (Special - Picnic) License(s) – Knights of Columbus

**Motion by Jensen, second by Kierstyn to approve the Consent Agenda as presented. Roll call vote, all voted aye.**

**Consent Agenda: Committee/Commission/Authority/Advisory Minutes**

**Finance Committee - February 24, 2015**

Petitions and Communications: Clerk Winters stated that we have received a summons regarding a foreclosure that received CDBG funding. The City entered into a Purchase of Service Contract with Central Wisconsin Community Action Council until Close-out of the Grant. We were informed by CWCA that they are in process of finding another entity to handle these types of loan. Mayor Baumgartner will send the summons and agreement to Attorney Richards-Bria.

Clerk Winters stated the time clock in the hallway is not working correctly and this only affects my office. As per Resolution hourly non-union employees are to use it. Instead of purchasing a new time clock and with the Special Council Meeting tomorrow, maybe include a clause on their Resolutions. After discussion, the committee decided to include a clause such as "that the Clerk/Treasurer Personnel do not have to use the Time Clock unless such time shall warrant reinstating."

Clerk Winters stated she received the League's Newsletter and the Governor proposes to keep Shared Revenues status quo.

She informed the committee on the proposed Bill for Wisconsin to go to County Assessed. Information distributed:

The League's letter stating they are still formulating its position on County Assessment.

They have received mixed communications from Municipalities some in support and some not.

Information from the DOR & the Wisconsin Towns Association that was attached to Assessor Anderson's email.

Information from Sue at the County that she just sent us from two Appraisal companies.

She received an email and the Town of Stockton is selling their ES&S Optech Eagle III tabulator and cart/ballot box. She explained that several municipalities are purchasing newer equipment as the Eagles are obsolete and eventually we will need to upgrade as well. She asked if she could make an offer to the Town if it is still available to use as a back-up or parts machine. The committee by consensus authorized Clerk Winters to offer Town \$100-\$200 for the Eagle to use for parts or back-up.

## Agenda Items:

Discussion Relating to Delinquent Personal Property Invoice(s): Mayor Baumgartner has not received any update from Attorney Richards-Bria regarding the letter sent on December 12, 2014 to pay the outstanding amount, plus any incurring interest and penalties by December 26, 2014 to avoid further legal action. She will follow up with Attorney Richards-Bria on the next steps of action with possible offer of a contract for payment arrangements. Clerk Winters stated that they are now delinquent on their 2014 personal property as well. The 2013 total (as of December 31, 2014) including penalty & interest was \$3,689.12 and the delinquent amount due for 2014 is \$3,034.77.

Discussion/Recommendation Relating to Resolution Fee Schedule – Police Department. Clerk Winters explained the copies distributed shows the old charges and the newly proposed charges also the three columns indicate first, second and third offenses. Marti asked why the decrease. Mayor Baumgartner stated that the charges continued to be reduced and now they would be more comfortable giving the ticket that would stick and they can pay. Recommendation by Kierstyn, second by Marti to Approve the Resolution Fee Schedule for the Police Department. All voted aye.

Discussion/Recommendation Relating to Lease Agreement – U.S. Cellular. Mayor Baumgartner stated that at the moment this is to extend the Agreement for an additional 18 months to hold it for \$1,000. The reason they have not built yet was the money the last three years was going towards capacity to building that base up. They are certain that in the next twelve months they will be building the tower and want to extend the lease. She explained that Janet found and distributed sample agreements for review that incorporates sub-leasing and other information we may want to incorporate. Winters explained that this was a recommendation from Public Works but after reviewing the current and other municipality agreements she added this to the Finance agenda for discussion. She has found that a Sub-leasing clause is not in the current 5 year Lease Agreement. Looking at the samples distributed we may want to include a percentage for sub-leasing, as well as, an annual percentage increase instead of every five years. Reviewing the information and what she had read online most include an average 3% annual increase, rent while constructing, and late payment fee. She explained that there are many options to include in the Agreement for additional revenue. Kierstyn stated that after the tower is built then we can include sub-leasing to the Agreement.

Discussion/Review Relating to the 2015 Capital Project Budget(s). Mayor Baumgartner stated the budget goes to 2017 but what we are looking at for this year is a communication upgrade for the Municipal Building offices. We received one quote from RRM out of Wausau here last week and works with many municipalities in the area quoted us \$900 per month. We are going to get two other quotes as we felt this was high.

This would bring all the phones together through the computer, providing system & monitoring back-up, troubleshooting, security updated, bring all email together, pull the Public Works into the same system so there isn't all the different emails and save documents in separate folders with permissions. The servers are not being utilized to their capabilities. We do not have to hire an IT person as the remote IT is cheaper to hire and hopes to hire someone for under \$10,000 a year. Kierstyn stated he would like to see the pump stations and well houses connected too. Winters stated that there is a sequence that is entered in the alarm system for calling.

Public Works has the Street Sweeper rehab in 2015. The guys have replaced some things on it for \$750.00 and the brush will need to be replaced. Kierstyn stated that all the plow trucks should get sand blasted as well as the loader with painting it and we will get several more years out of them. Mayor Baumgartner stated she will get prices on that. Marti stated that all the equipment should be scrubbed at the end of the salt season. Mayor stated they are now.

Winters stated that she would like to go “paperless” and include the purchase of laptops, tablets, notebooks or I-pads and software needed to the Capital Budget.

2015 Budget Progress Review Revenues & Expenditures. No discussion.

## **Planning Commission - February 26, 2015**

The Public Hearing was called to order by Chairperson Baumgartner. On roll call were the above listed members.

B. White explained the location and current zoning of the two parcels. He explained that by our Zoning Code the gas station addition would fit in Highway Commercial (C2). The first parcel (#201-800) located on Main Street was the American Family Insurance parcel currently zoned General Commercial (C1). The second parcel is located on Oak Street (#201-791) abutting the Kwik Trip property and west of the first parcel and currently zoned Single Family Residential (R1).

Discussion Relating to a Change in Zoning from Single Family District (R1) to Industrial District (I) for Property Located in Werners Subdivision, Lots 17 & N1/2 Lot 16 & S1/2 Lot 18, of Block 4, Parcel 201-00800-0000 (Kwik Trip parcel – 237 N. Main St.)

No objections were heard relating to rezoning this property to Highway Commercial (C2)

Discussion Relating to a Change in Zoning from General Commercial (C1) to Highway Commercial (C2) for property located in Werners Subdivision, Lots 4, S1/2 Lot 3 & N 15' FT Lot 5, of Block 4, Parcel 201-00791-0000 (formerly American Family parcel located at 225 N. Main St.)

No objections were heard relating to rezoning this property to Highway Commercial (C2)

B. White stated the request to Vacate Portion of the Alley is the North-South alley between the two parcels. The Vacate would lengthen the existing Vacated Alley 105' South of where the Kwik Trip Store is located.

B. White stated there will be easements to the Alley Vacate that would be subject to all utility and/or sewer and maintain rights and access.

B. White clarified the traffic route ingress will be off Main Street and the egress N. Oak Street.

J. Kierstyn questioned change to the approach opportunity, changing up on the curb.

Scott Zietlow gave details of the plans. He stated that the curb-cut can become larger into that property as they have received a permit from the DOT. The 55' curb cut would allow semi's to turn into. They allowed 35' for the exit onto Oak St. That will be a One Way and the trucks would have to turn right, travelling North and on Liberty.

H. Menck questioned the traffic volume on Liberty coming out on Main Street. Zietlow stated the normal vehicle/car traffic will not change it will add some diesel traffic.

J. Baumgartner stated that we did approve the addition of Liberty, Park and Lincoln from Main Street to Oak Street to our Heavy Traffic Routes which would spread out the wear and tear.

J. Kierstyn asked if Kwik Trip will communicate the additional routes going North to the drivers. Zietlow answered yes they will have signage that they cannot turn left.

B. White asked if a parking spot on the North & South side of Liberty Street should be eliminated. Zietlow replied yes or make the truck route suggested and go further down the street.

J. Baumgartner stated that we have not removed any parking at this time and asked if they could make more parking in the green space. Zietlow said that they can.

B. White asked if the approach on Oak Street can reinforce that so when they come up to Oak Street they don't peel our road off making your road base as heavy as ours. Zietlow said their base will be twelve inches (12") of compacted class 5 and eight inches (8") concrete reinforce so that won't be a problem at all.

Zietlow reviewed through the plans. They will be adding two diesel tanks, two lanes of diesel traffic, with a third option on the side for smaller vehicles. They have electrical problems with the pumps and will be replacing the existing store asphalt with concrete at this time, running new conduit from the store out to each dispenser. There are water and drainage issues on that site which they will be correcting at this time as well. The existing parking lot will be brought up to EDA standards. He has been made well aware that this will be done before July 1st.

H. Menck questioned the lighting. Zietlow stated they like to put in as much lighting as necessary inside their property line to keep customers and coworkers safe but not disrupt their neighbors. They do not like to do light pollution so all lights will go directly down.

H. Menck asked if there will be any additional regular parking for cars. Zietlow said at this time no. We can do coworker parking to get it off of Liberty Street.

J. Roseberry questioned future expansion such as a restaurant and would the school busses use the new pumps. Zietlow stated not at this location for a restaurant and the buses would use the new pumps.

B. White suggested the location by the tanks could be used for additional parking. Zietlow stated he will look into any additional parking that he can fit.

D. Davis asked what is anticipated in the increase of traffic volume on Oak Street and if it was taken into consideration the turning from Park Street onto Main Street from 3:00 p.m. – 4:00 p.m. during the school year. It gets congested at that time and a car cannot get out of there as they stop traffic to allow up to twenty some busses out and that would back up the traffic more on Park. Zietlow stated he does not have information on that but would definitely find that out. Real Estate typically does those studies and he can get that information.

Discussion Relating to a Request to Vacate Portion of North–South Alley in Block 4 Werners Subdivision. Portion of Alley Between South 30’ of lot 3, all of lot 4, north 15’ lot 5 - 105’ feet. (Parcels abutting N. Main Street (201-791, previously American Family parcel) and South 30’ of lot 18, all of lot 17, and North 15’ of lot 16 (201-800, N. Oak Street lots) (Resulting in the Vacation of Additional 105’ South of Existing Vacated Alley laying 150’ South of Liberty Street, Between N. Main Street and N. Oak Street)

No objections were heard relating to the Vacate Portion of the North-South Alley in Block 4, Werners Subdivision.

Motion by White, second by Menck to adjourn from Public Hearing and reconvene in Open Session. Roll call vote, All voted aye.

The Open Session was called to order by Chairperson Baumgartner. On roll call were the above listed members. Motion by Menck, Second by Kierstyn to approve the minutes of the February 3, 2015 meeting as printed. All voted aye.

#### Agenda Items:

Recommendation by Kierstyn, second by Burke to Change Zoning from Single Family District (R1) to Highway Commercial (C2) for Property Located in Werners Subdivision, Lots 17 & N1/2 Lot 16 & S1/2 Lot 18, of Block 4, Parcel 201-00800-0000 (Kwik Trip parcel – 237 N. Main St.). All voted aye.

Recommendation by Kierstyn, second by White to Change Zoning from General Commercial (C1) to Highway Commercial (C2) for property located in Werners Subdivision, Lots 4, S1/2 Lot 3 & N 15’ FT Lot 5, of Block 4, Parcel 201-00791-0000 (formerly American Family parcel located at 225 N. Main St.). All voted aye.

Recommendation by White, second by Kierstyn to Vacate Portion of North–South Alley in Block 4 Werners Subdivision. Portion of Alley Between South 30’ of lot 3, all of lot 4, north 15’ lot 5 - 105’ feet. (Parcels abutting N. Main Street (201-791, previously American Family parcel) and South 30’ of lot 18, all of lot 17, and North 15’ of lot 16 (201-800, N. Oak Street lots) (Resulting in the Vacation of Additional 105’ South of Existing Vacated Alley laying 150’ South of Liberty Street, Between N. Main Street and N. Oak Street)

#### **Downtown Development Commission - February 26, 2015**

Motion by B. Kierstyn, Second by J. Kierstyn to approve the minutes of the January 22, 2015 meeting as printed. All voted aye.

Petitions & Communications: None

#### Agenda Items

Discussion Regarding Farm Market – Signage:

James, owner of Dellwood Signs, has moved out of the area but provided the City extra outdoor sign board. Mayor Baumgartner suggested we use the sign board to advertise the Farm Market. Looking into local artist to design and implement.

Discussion Regarding Spring Even at Lion’s Park:

The City of Adams Summer Kick-Off Event is scheduled for Thursday, June 11th. Commission members will be asking local businesses for donations, similar to last year’s Oktoberfest. A discussion was held regarding possibly planting trees on or around Arbor Day. Pipe has been donated to install a sprinkler system in the park. When weather permits City crew will be trimming trees possibly cutting one down. A day will be scheduled for

the commission members and any other volunteers to clean up the Lion's Park and to plant donated perennials. A discussion was held regarding finding a food and beverage vendor as the Knights of Columbus will be unavailable. P. Bula will be contacting members of the Lions' Club asking if they would like to participate in the Summer Kick-Off Event on June 11th.

#### Discussion Regarding Projects for Main Street:

Discussion was held regarding contacting someone from Sherwin Williams to see if they would be willing to donate paint to assist some of the businesses that are in need of some sprucing up. Similar programs have been done in other communities. Lampert's Lumber suggested that some of their vendor's may be willing to donate supplies for the planters or other various projects along Main Street. A discussion was held regarding building and furnishing reader board easels to businesses along Main Street. These easels could be similar in design and each business could add their information to them. A discussion was held regarding hanging planters, similar to the ones at AF Motors, on some of the light poles along Main Street.

#### Discussion Regarding Sign Ordinance:

No discussion was held.

Discussion/Recommendation Relating to Replacement of Flower Planters: Recommendation by J Kierstyn, Second by P. Bula to approve the construction of at least 20 flower planters not to exceed \$1,500.00. These funds would be taken from the TIF Main Street Promotions fund. All voted aye.

#### Petitions and Communications:

Dan Wood, candidate for Adams Circuit Court Judge, distributed brochures to those in attendance. He spoke of his experience, endorsements, the platform and approach he will take as the Judge and his roots to Adams County.

Tonia Bonnett, Heidi Roekle, Veronica VanderHyden & Kevin Cole explained the Fine Arts Center Referendum that is on the April 7<sup>th</sup> ballot and showed the addition designs. They distributed a pamphlet and explained the Four Million Dollar project would be a 17,000 square feet addition to the Northeast quarter and will seat over five hundred (500). There would be a new entry way and new parking area in front. They explained that there is no stage area at the High School. They took a class room and built a small stage area for plays, band, drama and such. In four years the debt will fall off and next year added to the Mill Rate, would be a dime (.010) per \$1,000 value home. At the last Referendum they projected the Mill Rate of .42 with the \$900,000 donation from the Foundation. Since then, they have raised an additional \$600,000 for a total of \$1.5 million and the Foundation hopes and is projecting it will be closer to \$1.6 million. They spoke of all the opportunities, benefits and the Economic Drive the Arts Center could bring to the Community. There will be a public forum on March 25<sup>th</sup>.

Attorney Jesse Leichsenring, candidate for Adams Circuit Court Judge. He stated that he has a Facebook page with additional information. He spoke of his experience, his family and why he is running for Judge.

Ken Romell addressed the Council regarding the Administrator position. We have had City Administrators while he was in office and we had done a lot of work. It has got to the point where a City this size if you don't have special projects planned; it gets to be quite expensive. You will find that the three people who sit here costs close to two hundred thousand a year. If you add another hundred and ten thousand dollars for a Administrator salary, it turns into quite a bit. For the twenty employees we have here it gets expensive administrating that few people. He stated to go slow, if you do run into problems, you can hire expert help. At this time he would not recommend hiring an Administrator.

#### Report of City Officers:

Mayor Baumgartner reported that they will be finalizing the Hazard Litigation Plan for the City and County that will be submitted to the State. She has been asked to participate in the Leadership program for the Government part of it on the 25<sup>th</sup>. We have been busy tying up the investigation, tying up loose ends and working on a lot of policy & procedures.

Chief Anderson reported that he has completed the investigation regarding our Street Superintendent and his preliminary report had been forwarded to both the Mayor and the City Attorney. He expects to finalize all the paperwork tomorrow and forward that on to the Insurance Attorney, the City Attorney and the Mayor. The Police Department is being audited by the Department of Justice for our TIME System. The TIME System is where they run criminal history checks, driver files and Department of Motor Vehicle files. There is a good possibility that he is going to have to hire an outside person to complete this for us. The same person that did the audit in 2011 is no longer with the DOJ and she would be available to come here and get us on track. We have to develop policies for use of the TIME System to getting the District Attorney's Office and the Sheriff's Department to sign off on documentation that we provide them is properly disposed of. It's a technicality but has to be done and we will need to have it completed for the audit. We will have to go outside to get someone to help us.

New and Unfinished Business:

Jenna Linden, Northeast Regional Community Water Fluorination Specialist of Wisconsin Oral Health Coalition. She was here to present the Centers for Disease Controls and Prevention Water Fluoridation Quality Award to the Adams Waterworks. The earning of this award presents operator care and accomplishment in meeting strict standards for accuracy in water fluoride treatment, daily monitoring and reporting. Bob Berry was present to accept the award.

**Motion by Kierstyn, second by Jensen to Adopt the Preliminary Resolution 2015-09R** (see appendix B of Minutes Book) **Relating to Vacate Portion of Alley. Roll call vote, all voted aye.** (Kwik Trip Alley)

**Motion by Marti, second by Hilson to Adopt Resolution 2015-11R** (see appendix B of Minutes Book) **Relating to Fee Schedule – Police Department. Roll call vote, all voted aye.**

**Motion by Marti, second by Jensen to Approve the Lease Extension with U.S. Cellular.** Mayor Baumgartner explained that this is for an 80' x 80' area to put a tower up and they would like to extend the Lease for another eighteen (18) months. They plan on building within the next twelve months and this is to extend the existing Lease for \$1,000. **Roll call vote, all voted aye.**

**Motion by Kierstyn, second by Marti to Adopt Resolution 2015-12R** (see appendix B of Minutes Book) **Relating to Utility Rates to be Charged.** Mayor Baumgartner stated that this is in conjunction with the 3% water increase and 8% sewer increase Ordinances. **Roll call vote, all voted aye.**

**Motion by Hilson, second by Kierstyn to Purchase as many Flower Planters as we can, not to exceed \$1,500.** Mayor Baumgartner stated that the whiskey barrels are starting to deteriorate, the cost is down to \$70.00 apiece. They now have free time between water freeze-ups and looking at replacing as many as we can, possibly twenty (20). The barrels that are still usable they will put out in the parks. We have \$3,000 in the budget for that but with talking to Lamperts, they're talking about the vendors donating a lot of the supplies so it will be less than that. Marti questioned if there is enough storage as these will take up more space. Mayor Baumgartner said yes, there is quite a bit of storage in the old building. **Roll call vote, all voted aye.**

**Motion by Jensen, second by Hilson to Approve Payment of Bills. Roll call vote, all voted aye.**

**Motion by Marti, second by Jensen to Adjourn. Roll call vote, all voted aye.**

Respectfully Submitted,

Janet L. Winters, CMC, WCMC, CMTW  
Clerk/Treasurer